

CHAPTER NO. 111

HOUSE BILL NO. 3577

By Representatives Overbey, McCord

Substituted for: Senate Bill No. 3480

By Senator Clabough

AN ACT to amend Chapter 345 of the Private Acts of 1947, as amended by Chapter 227 of the Private Acts of 1957, Chapter 48 of the Private Acts of 1989 and any other acts amendatory thereto, relative to the general sessions court of Blount County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 345 of the Private Acts of 1947, as amended by Chapter 227 of the Private Acts of 1957, Chapter 48 of the Private Acts of 1989 and any other acts amendatory thereto is further amended by deleting SECTION 8 in its entirety and substituting instead the following:

SEC. 8.

(a) That there is hereby created four (4) sections of said Court of General Sessions, to be known as Section No. 1, Section No. 2, Section No. 3 and Section No. 4, respectively; that there shall be four (4) full time Judges of said court, one (1) to preside over each section; that said Judges shall be persons who are licensed attorneys who have been admitted to practice law before the Supreme Court of Tennessee and shall have all other qualifications as are prescribed for Circuit Judges; that said Judges shall not be permitted to practice law during their tenure of office and shall devote all their working time to the office of Judge, provided, however, that such Judge may conclude to final determination any cases which the Judge may have pending at the time such Judge takes office as a General Sessions Court Judge.

(b) The Judge of Section 4 shall be appointed by the legislative body of Blount County as provided by law and the person so appointed shall serve until September 1, 2006, or until such person's successor is elected and qualified. The appointment by the Blount County legislative body shall take effect on January 1, 2005. At the August general election in 2006, and every eight (8) years thereafter, the qualified voters of Blount County shall elect a person to the office of Judge of Section 4 of the General Sessions Court for a term of eight (8) years. In such election and all subsequent elections, the candidates shall designate and qualify to run for the position of Judge of Section 4 of the General Sessions Court of Blount County.

(c) The Judge of Section 4 of the General Sessions Court of Blount County shall receive the same compensation, payable in the same manner, and benefits as the Judges of Sections No. 1, No. 2 and No. 3. Section 4 of the General Sessions Court shall have concurrent jurisdiction with Sections No. 1, No. 2 and No. 3.

SECTION 2. Chapter 345 of the Private Acts of 1947, as amended by Chapter 227 of the Private Acts of 1957 and any other acts amendatory thereto is further amended by deleting from the first sentence of SECTION 9 the language "That the Judge of Section No. 1 of said Court shall be the presiding Judge and shall designate the time

of holding Court for each section," and substituting instead the language "Effective September 1, 2006, the Judge of Section No. 3 of said Court shall be the presiding Judge and shall designate the time of holding Court for each section,".

SECTION 3. This act shall take effect only if the cost of providing any additional assistant district attorney general, assistant public defender, or other costs associated with the judgeship created by this act are funded by Blount County, Tennessee, and such funding continues for the term of the judgeship created by this act.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Blount County. Its approval or nonapproval shall be proclaimed by the presiding officer of and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.

PASSED: April 19, 2004


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 4th day of May 2004


PHIL BREDEZEN, GOVERNOR